

Overview

On November 29th, 2022 the Hardin County Republican Committee voted to censure Senator Mitch McConnell.

On December 5th, 2022 members of the Hardin County Republican Committee filed an appeal with the 2nd District Republican Committee that challenged that the censure resolution, stating that it was outside the scope of the county party per Republican Party of Kentucky Official Rules.

On December 22nd, 2022 the 2nd District Republican Committee hosted a virtual meeting to hear from both parties and each were provided with an equal opportunity to present written and oral testimony.

On December 28th, 2022 the 2nd District Republican Committee convened virtually to deliberate and ultimately was able to reach a majority decision.

Decision

The question our committee sought to answer was whether it was in the purview of the Hardin County Republican Committee to issue a censure resolution against Senator Mitch McConnell.

The Official Rules of the Republican Party of Kentucky do not address the topic of censure, directly or indirectly. The group challenging the censure referenced Rule 4, which outlines the duties of the county committee. The Rules outline a narrow set of responsibilities for county committees but do not address matters that may fall outside the categories listed.

The Rules do provide recourse for instances where there are matters of ambiguity. Rule 11.02 states the following: *"The Current Edition of Robert's Rules of Order, Newly Revised, will be the rules of order of all committees and conventions provided in these rules except where in conflict with these rules."* With that in mind, our committee used Robert's Rules of Order, 12th Edition to seek an answer for the question at hand.

In Chapter 20 of Robert's Rules, the topic of disciplinary procedures, including censure, is addressed. Section 61:2 states that censure is a form of discipline that an organization can use with or without formal proceedings.

Throughout Chapter 20, the discussion surrounding disciplinary action is in the context of an organization disciplining a member, examples can be found in sections 61:1, 61:10, 61:11, 61:12, 61:16, and 61:22.

References to nonmembers have a more limited scope. Sections 61:7 and 61:19 state that nonmembers can be excluded and/or removed from a meeting at any time. There is no indication that Robert's Rules allows for disciplinary measures against nonmembers.

Given that only members are subject to disciplinary actions, the question becomes, is Senator McConnell a member of the Hardin County Republican Committee? RPK Rule 4.01 is clear in that the county committee is comprised of precinct and county officers, which Senator McConnell is neither. It also states that a county committee may include any or all elected Republican officials who reside in the county to the county committee. Senator McConnell resides in Jefferson County and thus the only county committee he would be eligible to serve on would be with the Jefferson County Republican Party.

In summary, we find that RPK Rules are ambiguous on the matter of censure, however the Rules are clear that Robert's Rules should be used in matters such as these. We find that Robert's Rules are clear in that only members of an organization are subject to disciplinary measure, and it is undisputable that Senator McConnell is not a member of the Hardin County Republican Committee. Therefore, by majority opinion (4-1) rule that the censure resolution passed by the Hardin County Republican Committee to be out of order.

Sincerely,

Timothy Gilliam, Chair

Samara Heavrin, Vice-Chair

Aaron Witten, Treasurer

Osei Thomas, Secretary

James Victory, Youth Chair